IN THE HIGH COURT OF JUDICATURE AT PATNA

Cr.Misc. No.23500 of 2008

SANJAY KUMAR GUPTA, SONOF SRI BANKIN CHANDRA GUPTA, PERMANENT RESIDENT OF VILLAGE & P.S.-MAHESHKHUNT, DISTRICT-KHAGARIA. – PETITIONERE

Versus

1. THE SATE OF BIHAR,
2. Smt. KIRAN GUPTA, DAUGHTER OF SRI BRAHMDEO SAHU, RESIDING AT 1ST FLOOR, DEVASTHALI APARTMENT, RAJENDRA PATH, NORTH SRI KRISHNAPURI, BEHIND H.P.GAS GODOWN, BORING ROAD, P.S. SRIKRISHNAPURI, DISTRICT-PATNA. -OPP.PARTY.

4 11.11.2008 Despite service of notice upon opposite party no.2 she has chosen not to appear. Although the name of the learned counsel is appearing in the cause list but the records do not suggest that the opposite party no.2 has issued a vakalatnama in favour of the said gentleman. Efforts made by the learned counsel for the petitioner to locate the said gentleman was futile. The allegations contained in the petition are mere of desertion. In the circumstances, the application succeeds.

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Let the petitioner, in the event of his arrest or surrender within six weeks from today, be enlarged on bail on his furnishing bonds of Rs.10,000/- (Rupees ten thousand) with two sureties of the like amount each to the satisfaction of the Subdivisional Judicial Magistrate, Patna, in Complaint

Case no. 464-C of 2007, subject to the conditions laid down in Section 438(2) of the Code of Criminal Procedure.

(Barin Ghosh, J.)

AAhmad

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